

Memorandum



Date: February 5, 2019

Agenda Item No. 8(N)(10)

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the "From:" line.

Subject: Supplemental Agreement No. 1 to a Professional Services Agreement Between WSP USA Inc. and Miami-Dade County For Engineering Services for the Department of Transportation and Public Works' Capital Improvement Plan; Contract Number CIP142-TR15-PE1; Increasing Contract Amount By \$10,780,000; Authorizing the Use of Charter County Transportation Surtax Funds for Such Purposes; and Authorizing Continuation of Spending Authorities for Work Orders Related to the Strategic Miami Area Rapid Transit (SMART) Plan Beyond March 7, 2019 For One Additional Year

Recommendation

The attached Supplemental Agreement No. 1 to a Professional Services Agreement between WSP USA Inc. and Miami-Dade County (County) for Engineering Services for the Department of Transportation and Public Works' (DTPW) Capital Improvement Plan; Contract Number CIP142-TR15-PE1; Increasing Contract Amount by \$10,780,000; Authorizing the Use of Charter County Transportation Surtax Funds For Such Purposes; and Authorizing continuation of spending authorities for work orders related to the Strategic Miami Area Rapid Transit (SMART) Plan beyond March 7, 2019 for one additional year, has been prepared by the DTPW and is recommended for approval.

This Supplemental Agreement No. 1 is placed for the Board of County Commissioners (Board) review pursuant to County Code Section 29-124(f). This Supplemental Agreement No. 1 may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this Supplemental Agreement No. 1. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this Supplemental Agreement No. 1, I will request a withdrawal of this item.

SUPPLEMENTAL AGREEMENT NUMBER:

1

Scope

PROJECT NAME: Professional Services Agreement for Engineering Services for the Department of Transportation and Public Works' Capital Improvement Plan

PROJECT NO: CIP142

CONTRACT NO: CIP142-TR15-PE1

PROJECT DESCRIPTION: DTPW requires the professional services of a General Consultant (Consultant) for a wide range of planning, engineering, survey, architectural, landscaping, technical, management and administrative services as needed to assist in executing projects in the DTPW Capital Improvement Plan and in studying and implementing Future Corridor Work Program projects to include emerging technologies such as autonomous vehicle

implementation. The Consultant will supplement DTPW's resources by providing highly qualified technical and professional personnel to perform the duties assigned under the terms of this agreement. DTPW shall work with the Federal Transit Administration (FTA) and the Florida Department of Transportation (FDOT) to complete all National Environmental Policy Act (NEPA) studies related to the SMART plan within one year of the effective date of this resolution. No minimum amount of work or compensation will be guaranteed to the selected consultant.

The Consultant will primarily support the Engineering, Planning and Development Section of DTPW which includes: Planning & Systems Development, Service Planning, Design & Engineering, Right-of-Way & Utilities/Joint Development, Construction, Contract Management Divisions, Project Control, and Quality Assurance Divisions. The Consultant may also provide support to Operations especially the Field Engineering Division. DTPW may request Consultant services on an as-needed basis through the issuance of Work Orders for the required work to be performed and the estimated fees to be paid for the services authorized pursuant to the Scope of Services. Services to be provided by the Consultant will be initiated and completed as directed by DTPW's Project Manager for each assignment authorized under this agreement. There is no guarantee that any or all the services described in this agreement will be assigned during the term of the agreement. Further, the Consultant is providing these services on a nonexclusive basis. DTPW, at its option, may elect to have any of the services set forth herein performed by other consultants or DTPW staff. Funding for these services will be provided by the Federal Transit Administration (FTA), State of Florida Department of Transportation (FDOT), and local sources on a project-by-project basis and in accordance with negotiated fees and tasks described in each work order.

**PROJECT
LOCATION:**

Various

PROJECT SITES:

<u>SITE #</u>	<u>LOCATION 1</u>	<u>DIST</u>	<u>AMOUNT</u>
77696	VARIOUS	VARIOUS	\$ 450,000
3001339	VARIOUS	VARIOUS	\$ 600,000
3001049	VARIOUS	VARIOUS	\$ 300,000
3001029	VARIOUS	VARIOUS	\$ 600,000
3002043	VARIOUS	VARIOUS	\$2,850,000
3001040	VARIOUS	VARIOUS	\$5,980,000

**PRIMARY
COMMISSION
DISTRICT:**

Various

APPROVAL PATH:

Board of County Commissioners

**ISD A&E PROJECT
NUMBER:**

E15-DTPW-04

**USING
DEPARTMENT:**

Department of Transportation and Public Works

MANAGING

DEPARTMENT: Department of Transportation and Public Works

Fiscal Impact / Funding Source

FUNDING SOURCE: Various

AMENDMENT FUNDING SOURCE: Federal Transit Administration 5307 Formula Grant, Florida Department of Transportation, People's Transportation Plan (PTP) Bond Program, and PTP Capital Reserve Fund

PTP FUNDING: Yes

GOB FUNDING: No

ARRA FUNDING: No

CAPITAL BUDGET PROJECTS:	CAPITAL BUDGET PROJECT # - DESCRIPTION	<u>RTA ESTIMATE</u>
	2000000973: SOUTH DADE TRANSITWAY CORRIDOR FY 2018-19 Adopted Budget and Multi-Year Capital Plan	\$2,850,000
	2000000326: FEDERAL FUNDED PROJECTS FY 2018-19 Adopted Budget and Multi-Year Capital Plan	\$300,000
	671610: PARK AND RIDE – TRANSIT PROJECTS FY 2018-19 Adopted Budget and Multi-Year Capital Plan	\$1,200,000
	672670: STRATEGIC MIAMI AREA RAPID TRANSIT PLAN (SMART) PHASE 1 FY 2018-19 Adopted Budget and Multi-Year Capital Plan	\$6,430,000
CAPITAL BUDGET PROJECTS TOTAL:		\$10,780,000

AMENDMENT DESCRIPTION: Additional funding capacity is requested to provide Project Development and Engineering services for the East-West Corridor project and other programmed capital projects not related to the SMART Plan, through March 2022. Services will include, but are not limited to: completion of the FTA Project Development phase and submittal of a New Starts Package, as required. Continued authority for SMART Plan related work orders for an additional year through March 7, 2020.

MONETARY JUSTIFICATION: The fiscal impact of Supplemental Agreement No. 1 is in the amount of \$10,780,000 (inclusive of base amount \$9,800,000 and contingency amount \$980,000) to continue providing professional engineering services through March 2022; refer to Exhibit No. 2 attached, which shows the funding projections necessary for the East-West Corridor Project through construction and other previously programmed capital work.

TIME JUSTIFICATION: No additional time is required for this Supplemental Agreement No. 1.

	<u>Original Contract Values</u>	<u>Previous Adjustments To Values</u>	<u>This Amendment Values</u>	<u>Current Totals</u>	<u>Total Paid</u>	<u>Balance After Amendment</u>
BASE:	\$10,000,000.00	\$0.00	\$9,800,000.00	\$19,800,000.00	\$3,885,517.58	\$15,914,482.42
CONTINGENCY:	\$1,000,000.00	\$0.00	\$980,000.00	\$1,980,000.00	\$0.00	\$1,980,000.00
DEDICATED:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
TOTALS:	\$11,000,000.00	\$0.00	\$10,780,000.00	\$21,780,000.00	\$3,885,517.58	\$17,894,482.42

	<u>Original Contract Duration</u>	<u>Previous Adjustments To Duration</u>	<u>This Amendment Duration</u>	<u>Current Totals</u>
BASE DURATION:	1825	0	0	1825
CONTINGENCY:	<u>182</u>	<u>0</u>	<u>0</u>	<u>182</u>
TOTAL DURATION:	2007	0	0	2007

INITIATING FACTOR(S) FOR AMENDMENT

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
COUNTY REQUESTED CHANGE	\$10,780,000	0 days

Track Record / Monitor

PERFORMANCE RECORD: There are 64 performance evaluations in the Capital Improvements Information Systems Database reflecting a rating of 3.7 points out of possible 4.0 points. This represents an above satisfactory performance rating.

PRIME CONSULTANT: WSP USA Inc.

COMPANY PRINCIPAL: Ronald Colas, P.E.

COMPANY QUALIFIERS: Ronald Colas, P.E.

COMPANY EMAIL ADDRESS: Ronald.colas@wsp.com

COMPANY STREET ADDRESS: 7650 Corporate Center Drive, Suite 300

COMPANY CITY-STATE-ZIP: Miami, FL 33126

YEARS IN BUSINESS AT TIME OF AWARD: Since 1886 (130 Years)

PREVIOUS EXPERIENCE WITH COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD: According to the Firm History Report provided by the Internal Services Department, WSP USA Inc. received five contracts from Miami-Dade County during the five years immediately preceding the award of this contract with a total value of \$8,879,036.

SUBCONSULTANTS: Alpha Construction and Engineering Corporation dba Alpha Corporation
Ambro, Inc.
Arine Pope Consulting, Inc.
Caltran Engineering Group, Inc.
C.A.P. Engineering, Inc.
Clary Consulting, Company
Consulting Engineering & Science, Inc.
Curtis & Rodgers Design Studio, Inc.
Cyriacks Environmental Consulting Services Inc.
Gannett Fleming, Inc.
Glass Land Acquisition Service Specialists, Inc.
G-T Construction Group, Inc.
Janus Research, Inc.
Lea & Elliott, Inc.
Longitude Surveyors, LLC
Nova Consulting, Inc.
Perez & Perez Architects Planners, Inc.
Terracon Consultants, Inc.
Tindale-Oliver & Associates, Inc.

**REVIEW
COMMITTEE
ASSIGNED
CONTRACT
MEASURES:**

<u>TYPE</u>	<u>GOAL</u>	<u>ESTIMATED VALUE</u>	<u>ACHIEVED</u>
DBE	22.00%	\$2,420,000	\$570,518.58

**CONTRACT
MANAGER NAME /
PHONE / EMAIL:**

Leticia Smith	(786) 469-5291	Leticia.Smith@miamidade.gov
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**PROJECT
MANAGER NAME /
PHONE / EMAIL:**

Albert Hernandez	(786) 469-5444	aah@miamidade.gov
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Background

BACKGROUND:

On March 7, 2017, the Board of County Commissioners (Board) passed Resolution R-256-17 to approve a professional services agreement with WSP USA Inc. (formerly Parsons Brinckerhoff, Inc.) to provide professional engineering services for DTPW's Capital Improvement Plan, in an amount not to exceed \$11,000,000, with a limit of spending authority for work orders related to the SMART Plan to one year from the effective date of the Resolution, unless additional time is approved by the Board, and authorization to use Charter County Transportation Surtax Funds for such purposes.

At the time that this contract was approved, the Board requested that everything possible be done to complete these studies within one year. At that time, it was advised that there were several factors out of the County's control that rested with the FTA regarding review times and the level of NEPA study that they would require. When these SMART Plan studies commenced in Spring 2017, the County proposed to the FTA that abbreviated studies be performed with a Class of Action (COA) of Categorical Exclusion (Cat-Ex), which requires the lowest level of environmental documentation and can be completed in one year. Through coordination with FTA, it has become clear that any rail

mode alternative would trigger the highest level of environment documentation, and that additional time would be needed to complete these studies.

Subsequently, on March 6, 2018, the Board passed Resolution R-226-18, approving continuation of spending authorities beyond March 7, 2018, for an additional year for work orders related to the SMART Plan, to complete all NEPA studies for the SMART Plan. These studies are also referred to as Project Development & Environment Studies (PD&E). Since the passing of this Resolution, DTPW started conducting NEPA studies for the SMART Plan rapid transit East-West Corridor.

The East-West Corridor is an 11-mile long corridor connecting Florida International University to the Miami Intermodal Center at Miami International Airport. The East-West Corridor PD&E study team received NTP on April 13, 2017. Immediately after the NTP, the team started data collection and public engagement efforts. The team is coordinating very closely with the Miami-Dade Expressway Authority regarding alternatives that use/affect S.R. 836. The team conducted public kick-off meetings in June 2017 at two different locations along the corridor. The first task was to determine if the 1998 Record of Decision alignment was still viable and could be implemented quickly. Changes in City of Doral's land use, opposition from residential areas, and construction of the new Dolphin Park and Ride facility led to a determination that the study area should be expanded to include NW 7th Street, NW 12th Street, and the CSX corridors. Efforts are underway on the PD&E studies with selection of a Locally Preferred Alternative (LPA) planned for the Summer of 2019. FDOT has requested that the County pursue federal funding as a condition of receiving state funding; therefore, the County plans to enter the New Starts program in late 2019, after the selection of the LPA. Additional funding capacity will be required beyond the PD&E study to enter into and complete the FTA Project Development phase and submit a New Starts Package in 2020. As a result, continuation of spending authorities beyond March 7, 2019, is also required for one additional year for work orders related to the SMART Plan.

Exhibit No. 1 attached shows all work encumbered to date, invoiced to date, and balance. Exhibit No. 2 attached shows the funding projections necessary for the East-West Corridor Project through construction and other previously programmed capital work. In summary, through October 30, 2018, the total commitment of expenditures to date (invoiced and accrued) is approximately \$9,502,469.19 (\$7,921,385.51 encumbered on the East-West Corridor project and \$1,581,083.68 on other non-SMART plan projects), with an available balance of \$1,497,530.81 (inclusive of the 10% contingency allowance) left on the original \$11,000,000 contract allocation.

Additional funding capacity is needed in the amount of \$10,780,000 (inclusive of base amount \$9,800,000 and contingency amount \$980,000) to provide Project Development and Engineering services for the East-West Corridor project and other programmed capital projects not related to the SMART Plan as shown in Exhibit 2, through March 2022.

Continuity of professional services through this supplemental agreement is critical to reaching the East-West Corridor project milestones. Advertising a new contract would involve a procurement process; thereby affecting the County's ability to achieve these milestones and possibly delay FTA funding approval. An additional cost would be associated with the new consultant absorbing and adopting the work performed to date by the original consultant.

DBE Goal Attainment:

DTPW's Office of Civil Rights has made no change to the DBE goal for this contract. As such, the Consultant will continue to take all necessary steps towards compliance with the DBE contracted goal. DTPW has written acknowledgement from WSP USA Inc. of their intent to maintain the 22% rate for the duration of the contract. Going forward, the Consultant's approach will be to allocate new work to qualified DBE firms included in the contract. As of October 30, 2018, the annual DBE participation rate since the contract's inspection stood at approximately 15%. This percentage is based on services provided by qualified DBEs and invoiced services paid to date, and accrued, but not yet invoiced. DTPW expects the Consultant to meet the DBE contract goal of 22% by the end of the contract term (April 2, 2022) and DTPW will continue to work closely with the Consultant in the achievement of the contracts DBE goal towards this endeavor.

DEPARTMENT
FINANCE:


DTPW FINANCE OFFICER

11/27/18
DATE

INDEX CODE(S):

VARIOUS

BUDGET
APPROVAL 
FUNDS AVAILABLE:


OMB DIRECTOR

11/27/18
DATE

APPROVED AS TO
LEGAL
SUFFICIENCY:


COUNTY ATTORNEY

11/28/18
DATE

DEPARTMENT OF TRANSPORTATION
AND PUBLIC WORKS CONCURRENCE:


DIRECTOR, DTPW

11/28/18
DATE

APPROVED PURSUANT TO
SECTION 2-8.1 OF THE
MIAMI-DADE COUNTY CODE:


DEPUTY MAYOR

11/3/19
DATE

CLERK:

DATE

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EXHIBIT NO. 2

WSP USA, INC - WORK ORDERS PROJECTION
CONTRACT #CIP-142-TR15-PE1

Work Order Description	SMART PLAN	PROJECTED WORK ORDER AMOUNT THRU 3/7/2019	PROJECTED WORK ORDER AMOUNT THRU 3/7/2020	PROJECTED WORK ORDER AMOUNT THRU 3/7/2021	PROJECTED WORK ORDER AMOUNT THRU 3/7/2022	SUBTOTALS
FTA East West NEPA Project Development and New Starts Application	YES	\$1,000,000	\$1,000,000	\$2,000,000	\$2,000,000	\$6,000,000
Strategic Financial Planning and Other Advisory Services	YES		\$200,000	\$200,000	\$200,000	\$600,000
Website Development and Maintenance	YES		\$100,000	\$100,000	\$100,000	\$300,000
Document Control Support (Beach Corridor)	YES		\$50,000	\$50,000	\$50,000	\$150,000
Document Control Support (East-West & South Corridors)	YES		\$100,000	\$100,000	\$100,000	\$300,000
Owner's Representation for South Corridor during Construction	YES		\$400,000	\$400,000	\$400,000	\$1,200,000
Transitway and 152 Street Park and Ride Improvements Project Development and Design-Build Criteria Package	YES		\$200,000	\$200,000	\$200,000	\$600,000
Transitway and 112 Avenue Park and Ride Improvements Project Development and Design-Build Criteria Package	YES		\$200,000	\$200,000	\$200,000	\$600,000
Transitway Other Park and Ride Improvements Project Development and Design-Build Criteria Package at Station Location Sites	YES		\$500,000	\$500,000	\$500,000	\$1,500,000
Total Project Need to Complete		\$1,000,000	\$2,750,000	\$3,750,000	\$3,750,000	\$11,250,000
Original Contract Balance Remaining						\$1,497,530
Difference (Minimum Amount Needed)						\$9,752,470
Base Supplemental Agreement Amount (Rounded Amount)						\$9,800,000
10% Contingency Amount						\$980,000
Grand Total Supplemental Agreement Amount						\$10,780,000



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: February 5, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(10)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(10)
2-5-19

RESOLUTION NO. _____

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN WSP USA INC. AND MIAMI-DADE COUNTY FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS' CAPITAL IMPROVEMENT PLAN; CONTRACT NUMBER CIP142-TR15-PE1; INCREASING CONTRACT AMOUNT BY \$10,780,000.00; AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES; AND AUTHORIZING CONTINUATION OF SPENDING AUTHORITIES FOR WORK ORDERS RELATED TO THE STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN BEYOND MARCH 7, 2019 FOR ONE ADDITIONAL YEAR; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Approves the execution of Supplemental Agreement No. 1 to Professional Services Agreement between WSP USA Inc. and Miami-Dade County for Engineering Services for the Department of Transportation and Public Works' Capital Improvement Plan, Contract Number CIP142-TR15-PE1, Project No: E15-DTPW-04 in substantially the form attached hereto and made a part hereof, which increases the contract amount by \$10,780,000.00; authorizes the use of Charter County Transportation Surtax Funds for such purposes; and authorizes continuation of spending authorities for work orders related to the Strategic Miami Area Rapid Transit (SMART) Plan beyond March 7, 2019, for one additional year.

Section 2. Authorizes the County Mayor or the County Mayor's designee to execute the agreement for and on behalf of Miami-Dade County and to exercise all rights contained therein.

The foregoing resolution was offered by Commissioner ,
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of February, 2019. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Bruce Libhaber

SUPPLEMENTAL AGREEMENT NO. 1 TO THE
PROFESSIONAL SERVICES AGREEMENT
BETWEEN MIAMI-DADE COUNTY, FLORIDA
AND WSP USA INC.

This First Supplemental Agreement is made and entered into as of the ____ day of _____
2018 by and between Miami-Dade County, Florida, a public body, hereinafter referred to as the
"COUNTY", and WSP USA Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the Miami-Dade County on March 31, 2017 entered into a Professional Services
Agreement with WSP USA Inc. to provide Engineering Services for Department of Transportation and
Public Works' Capital Improvement Plan, Contract Number CIP142-1-TR15-PE1; and

WHEREAS, the parties wish to make certain revisions in the Agreement as provided below.

NOW, THEREFORE, the parties hereto do mutually agree to amend the Professional Services
Agreement as follows:

SECTION II – PROFESSIONAL SERVICES

Refer to “Upon request by the Department of Transportation and Public Work said services may include, but not be limited to, the following:” and add #25 as follows:

25. Project Development and Engineering services for the East-West Corridor project and other programmed capital projects not related to the SMART Plan, through March 2022. Services will include, but are not limited to: completion of the FTA Project Development phase and submittal of a New Starts Package in 2020, 2021, and 2022, as required.

SECTION IV - COMPENSATION

Refer to Section IV, Paragraph F, Maximum Compensation, and amend as follows:

Although the COUNTY makes no assurances that any work orders will be issued to the CONSULTANT, the total payments to the CONSULTANT pursuant to this agreement shall not exceed \$21,780,000 (inclusive of a 10% contingency allowance).

SECTION XXVI – CONTINGENCY ALLOWANCE

Amend the first sentence as follows:

This project is a Professional Services Agreement: therefore an estimated allowance account of \$1,980,000 is permissible, per Miami Dade County Code Section 2-8.1.

This Agreement, regardless of where executed, shall be governed by and construed according to the laws of the State of Florida, and venue shall be in Miami-Dade County, Florida.

IN WITNESS THEREOF the parties hereto have executed these presents this _____ day of _____, 2018.

ATTEST:

HARVEY RUVIN

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____

By: _____
COUNTY MAYOR

Approved by County Attorney

as to Form and Legal Sufficiency:

ATTEST:

WSP USA INC
(Corporate Seal)

By: _____

By: _____




Memorandum



To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Javier A. Betancourt, Executive Director

Date: January 17, 2019

Re: **CITT AGENDA ITEM 5C:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) SUPPLEMENTAL AGREEMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN WSP USA INC. AND MIAMI-DADE COUNTY FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS' CAPITAL IMPROVEMENT PLAN; CONTRACT NUMBER CIP142-TR15-PE1; INCREASE CONTRACT AMOUNT BY **\$10,780,000.00**; AUTHORIZE THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES; AND AUTHORIZE CONTINUATION OF SPENDING AUTHORITIES FOR WORK ORDERS RELATED TO THE STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN BEYOND MARCH 7, 2019 FOR ONE ADDITIONAL YEAR; AND AUTHORIZE THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN (DTPW – BCC Legislative File No. 190040) **SURTAX FUNDS REQUESTED**

On January 16, 2019, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 19-003. The vote was as follows:

Glenn J. Downing, CFP®, Chairperson – Aye
Joseph Curbelo, 1st Vice Chairperson – Aye
Alfred Holzman, 2nd Vice Chairperson – Aye

Oscar Braynon – Aye
Evan Fancher – Absent
Hon. Anna E. Lightfoot-Ward, Ph.D. – Absent
Miles E. Moss, P.E. – Aye
Marilyn Smith – Aye

Eric Diaz-Padron – Aye
Prakash Kumar – Aye
Jonathan Martinez – Absent
Amy Steel-Donner – Absent
L. Elijah Stiers, Esq. – Aye

cc: Alina Hudak, Deputy Mayor
Bruce Libhaber, Assistant County Attorney

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